

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

IN RE: LAMICTAL DIRECT PURCHASER ANTITRUST LITIGATION	Civil Action No. 12-cv-995 (WHW/CLW)
THIS DOCUMENT RELATES TO:	
ROCHESTER DRUG CO-OPERATIVE, INC., on behalf of itself and all others similarly situated, Plaintiff,	STIPULATION AND [PROPOSED] ORDER OF CONSOLIDATION, ETC.
v.	
SMITHKLINE BEECHAM CORPORATION d/b/a GLAXOSMITHKLINE, TEVA PHARMACEUTICAL INDUSTRIES LTD., and TEVA PHAMACEUTICALS Defendants.	Civil Action No. 15-cv-8034 (WHW/CLW)

WHEREAS, on November 12, 2015 a class action complaint was filed in the matter of *Rochester Drug Co-Operative, Inc., et al. v. Smithkline Beecham Corporation, et al.*, under Case No.: 15-cv-8034 (WHW/CLW) (the “RDC Action”); and

WHEREAS, the RDC Action asserts claims on behalf of direct purchasers of Lamictal tablets; and

WHEREAS, pursuant to paragraph 8 of Pretrial Order No. 1 entered in *In Re: Lamictal Direct Purchasers Antitrust Litigation*, Case No.: 12-cv-995 (WHW/CLW) (the “Lamictal Action”) on May 16, 2012 (ECF# 34) all “[s]ubsequently filed . . . actions that assert claims on behalf of direct purchasers of Lamictal tablets shall be consolidated with the [Lamictal Action]”; and

WEREAS, the facts and allegations contained in the complaint filed in the RDC Action are substantially identical to those in the operative complaint in the Lamictal Action; and

WHEREAS, all parties have agreed and stipulated to the entry of this Stipulation as an Order;

IT IS ORDERED as follows:

1. The RDC Action is hereby consolidated with the Lamictal Action for all purposes pursuant to Fed. R. Civ. P. 42(a) and L. Civ. R. 42.1.
2. Defendants acknowledge that they have accepted service of and have been served with process in the RDC Action.
3. The answers that defendants shall file in the Lamictal Action shall also be deemed answers to the complaint filed in the RDC Action, and no further answer shall be required of any defendant in connection therewith.
4. Discovery requests served by defendants upon plaintiffs in the Lamictal Action shall also be deemed discovery requests by defendants served upon plaintiffs in the RDC Action, and RDC plaintiffs shall respond to them within the time allotted for response by plaintiffs in the Lamictal Action. Discovery requests served by plaintiffs upon defendants shall also be deemed discovery requests by RDC served upon defendants, and no further or separate discovery requests by RDC plaintiffs shall be required.

We hereby agree and stipulate to the foregoing.

COHN LIFLAND PEARLMAN
HERRMANN & KNOPF LLP

/s/ Peter S. Pearlman
Peter S. Pearlman
Park 80 Plaza West-One
250 Pehle Ave., Suite 401
Saddle Brook, NJ 07663

Attorneys for Plaintiffs

LOWENSTEIN SANDLER LLP

/s/ Douglas S. Eakeley
Douglas S. Eakeley
65 Livingston Avenue
Roseland, New Jersey 07068

*Attorneys for Defendant SmithKline
Beecham Corporation d/b/a
GlaxoSmithKline*

LITE DEPALMA GREENBERG, LLC

/s/ Michael E. Patunas
Michael E. Patunas
570 Broad Street, Suite 1201
Newark, NJ 07102

*Attorneys for Defendants Teva
Pharmaceutical Industries, Ltd. and
Teva Pharmaceuticals USA, Inc.*

IT IS SO ORDERED.

Dated: December 2015



The Honorable William H. Walls, Senior U.S.D.J